United Nations E/2004/SR.14

Economic and Social Council

Provisional

6 August 2004

Original: English

Resumed organizational session for 2004

Summary record of the 14th meeting
Held at Headquarters, New York, on Tuesday, 15 June 2004, at 3 p.m.

President: Ms. Rasi ..... (Finland)

Contents

Adoption of the agenda and other organizational matters (*continued*)

Corrections to this record should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent *within one week of the date of this document* to the Chief, Official Records Editing Section, room DC2-750, 2 United Nations Plaza.

04-38886 (E)

The meeting was called to order at 3 10 p.m.

Adoption of the agenda and other organizational matters (*continued*)

Consideration of the recommendations contained in the excerpt from the report of the Commission on Human Rights on its sixtieth session (E/2004/L.9 and Add.1)

1. **The President** drew attention to the nine draft decisions contained in the excerpt from the report of the Commission on Human Rights on its sixtieth session (E/2004/L.9), on which the Council had been requested to take action, and to the note by the Secretariat (E/2004/L.9/Add.1) setting forth the programme budget implications of those draft decisions.

Draft decision 1

2. **The President** invited the Council to take action on draft decision 1, entitled "Situation of human rights in the Democratic People's Republic of Korea".

3. **Mr. Pak Gil Yon** (Democratic People's Republic of Korea) said it was regrettable that the draft decision had been submitted to the Council. During the sixtieth session of the Commission on Human Rights, the European Union, availing itself of the hostile policy of the United States of America towards the Democratic People's Republic of Korea, had sponsored a draft resolution on the situation of human rights in his country based solely on unrealistic and fabricated information. That clearly showed that human rights issues were politicized by the members of the European Union, the United States and other Western countries within the United Nations system. Human rights violations within their own territories, and the crimes against humanity they had committed in Korea, Viet Nam, Yugoslavia, Afghanistan and Iraq had never been brought before United Nations bodies. They claimed that the illegal occupation of Iraq and the crimes against humanity perpetrated in Iraq were all motivated by the desire to protect human rights, and branded States that refused to accept Western values as violators of human rights. The resolution adopted in the Commission on Human Rights was intended to tarnish the image of his country, and the draft decision currently before the Council represented an affront to the Charter of the United Nations. He therefore urged all Council members who valued justice and respected genuine human rights to vote against that draft decision.

4. **Mr. Xie** Bohua (China) said that the economy of the Democratic People's Republic of Korea had been through a difficult period, but the Government had made significant efforts to overcome those difficulties and to improve the human rights situation in the country, and had also cooperated at the international level in the field of human rights. It had adopted four international human rights conventions and had invited the United Nations Special Rapporteur on violence against women to visit the country. The international community should therefore be encouraging, not condemnatory. The draft decision before the Council would not help improve the situation of human rights there; rather, it would complicate the situation and would not be conducive to the maintenance of peace and stability on the Korean peninsula. His delegation would therefore vote against it.

5. **Mr. Amorós Nuñéz** (Cuba) said that in the view of his delegation the draft decision was based on a process that was politicized and selective, and it reflected a biased approach.

6. **Mr. Gibbons** (Ireland), speaking on behalf of the European Union, said that one of the core aspects of the Commission on Human Rights resolution had been the decision to appoint a Special Rapporteur to establish direct contact with the Government and people of the Democratic People's Republic. Adoption of the draft decision before the Council would make it possible for the Commission to begin the process of fulfilling its important new mandate. The European Union therefore strongly urged Council members to vote in favour of the decision.

7. **Ms. Tamlyn** (United States of America), speaking in explanation of vote before the voting, said that her country had co-sponsored the draft resolution submitted to the Commission on Human Rights at its sixtieth session, as it continued to have grave concerns about the situation of human rights in the Democratic People's Republic of Korea. The appointment of a Special Rapporteur could be a positive and constructive vehicle for improving the situation. Her delegation would therefore vote in favour of the draft decision and urged other Council members to do likewise.

8. *A recorded vote was taken.*

In favour:

Armenia, Australia, Azerbaijan, Belgium, Belize, Bhutan, Burundi, Canada, Chile, Ecuador, El Salvador, Finland, France, Germany, Greece, Guatemala, Hungary, Ireland, Italy, Japan, Nicaragua, Panama, Poland, Sweden, Turkey, Ukraine, United Kingdom, United States of America.

Against:

China, Cuba, Indonesia, Libyan Arab Jamahiriya, Russian Federation, Zimbabwe.

Abstaining:

Bangladesh, Benin, Colombia, Ghana, India, Jamaica, Kenya, Malaysia, Mauritius, Mozambique, Namibia, Nigeria, Qatar, Republic of Korea, Saudi Arabia, Senegal, Tunisia, United Arab Emirates, United Republic of Tanzania.

9. *Draft decision 1 was adopted by 28 votes to 6, with 19 abstentions.*

Draft decision 2

10. **The President** invited the Council to take action on draft decision 2, entitled "Situation of human rights in Belarus".

11. **Mr. Ivanou** (Belarus) said that the draft decision and its underlying resolution were politically motivated and contained allegations that had no basis in fact. This delegation utterly rejected both the allegations and the resolution. It was well known that the Commission on Human Rights appointed a Special Rapporteur only as a last resort, in the event of massive, gross and continued violations of human rights. No such situation existed in Belarus. The resolution had been adopted as a result of unprecedented pressure from various countries, and reflected the application of double standards. Most countries opposed the principle of using country-specific situations as a tool for political manipulation. Belarus had always demonstrated its commitment to the protection of human rights and cooperated fully with international treaty bodies in that sphere. Belarus also cooperated with the Commission's special procedures. Achieving universal respect for human rights required coordinated effort by the international community, based on solidarity, cooperation and partnership.

12. **Mr. Nikiforov** (Russian Federation), supported by **Mr. Amorós Nuñéz** (Cuba) and **Mr. Xie Bohua** (China), said that in the view of his delegation the draft decision before the Council had been submitted for purely political reasons and had nothing to do with the objective of promoting and developing constructive international cooperation in the sphere of human rights. Belarus was taking steps to cooperate with the special procedures of the Commission and was therefore entitled to expect a more positive signal than that being given out by the draft decision before the Council.

13. *Draft decision 2 was adopted.*

Draft decisions 3 to 9

14. **The President** invited the Council to take action on: draft decision 3, entitled "Impunity", draft decision 4, entitled "Advisory services and technical cooperation in Burundi", draft decision 5, entitled "Advisory services and technical cooperation in the Democratic Republic of the Congo", draft decision 6, entitled "Advisory services and technical cooperation in Chad", draft decision 7, entitled "Protection of human rights and fundamental freedoms while countering terrorism", draft decision 8, entitled "Special Rapporteur on trafficking in persons, especially in women and children", and draft decision 9, entitled "Situation of human rights in the Sudan".

15. *Draft decisions 3 to 9 were adopted.*

16. **Mr. Pak Gil Yon** (Democratic People's Republic of Korea), speaking in explanation of vote after the voting, said that the outcome of the vote on draft decision 1 had shown that injustice, based on the principle that "might is right", was rife at the United Nations. And yet, it also showed that more and more Member States had understood the true nature of the decision and had rejected the idea that developed and powerful nations were automatically champions of human rights and small, weak nations violators of human rights.

The meeting rose at 3.55 p.m.